

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

NOTE: *If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. S 120.*

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(List name and registration number)*

Daniel D. Ryan (29,243)
John M. Manion (38,957)
Daniel R. Johnson (46,204)
Laura A. Dable (46,436)

Joseph A. Kromholz (34,204)
Patricia Jones (46,318)
Arnold J. Ericson (16,879)
Patricia A. Limbach (50,295)

(check the following item, if applicable)

- Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

Daniel D. Ryan
RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226-0618

DIRECT TELEPHONE CALLS TO:

Daniel D. Ryan
PHONE CALLS
(262) 783 - 1300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

STUART (GIVEN NAME) D (MIDDLE INITIAL OR NAME) EDWARDS (FAMILY (OR LAST NAME))
Inventor's signature
Date 3/19/02 Country of Citizenship US
Residence (City, State/Country) SALINAS, CALIFORNIA
Post Office Address 14601 ROLAND CANYON ROAD SALINAS, CA 93908

Full name of second joint inventor, if any

DAVID (GIVEN NAME) (MIDDLE INITIAL OR NAME) UTLEY (FAMILY (OR LAST NAME))
Inventor's signature DAVID S. UTLEY
Date 3-29-02 Country of Citizenship US
Residence (City, State/Country) SAN CARLOS, CALIFORNIA REDWOOD CITY, CA
Post Office Address 108 COLTON AVENUE 3725 JEFFERSON CT SAN CARLOS, CA 94070 REDWOOD CITY, CA 94062

Full name of third joint inventor, if any

(GIVEN NAME) (MIDDLE INITIAL OR NAME) (FAMILY (OR LAST NAME))
Inventor's signature
Date Country of Citizenship
Residence (City, State/Country)
Post Office Address

Full name of fourth joint inventor, if any

(GIVEN NAME) (MIDDLE INITIAL OR NAME) (FAMILY (OR LAST NAME))
Inventor's signature
Date Country of Citizenship
Residence (City, State/Country)
Post Office Address

Full name of fifth joint inventor, if any

(GIVEN NAME) (MIDDLE INITIAL OR NAME) (FAMILY (OR LAST NAME))
Inventor's signature
Date Country of Citizenship
Residence (City, State/Country)
Post Office Address

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION

Signature for sixth and subsequent joint inventors. Number of pages added _____

Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added _____

Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____

Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

Number of pages added 2

Authorization of attorney(s) to accept and follow instructions from representative

(If no further pages form a part of this declaration then end this declaration with this page and check the following item:)

This declaration ends with this page



Attorney's Docket No. 9222.16792-CON

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION**

(complete this part only if this is a divisional, continuation or C-I-P application)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, S 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, S 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:**

Status
(CHECK ONE)

U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 09 / 007,237	24/07/2001			
2. 0 /				
3. 0 /				

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PCT APPLICATIONS DESIGNATING THE U.S.

PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)
4.		
5.		
6.		

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

**DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY APPLICATION
CLAIMED UNDER 35 USC 119**

Above Appln. No.	Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)
1.				
2.				
3.				
4.				
5.				
6.				

PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
STUART D. EDWARDS and DAVID S. UTLEY

Additional name(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):

Name: **CURON MEDICAL INC.**

Internal Address: _____

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **3/19/2002 AND 3/29/2002**

Street Address: **735 PALOMAR AVENUE**

City: **SUNNYVALE** State: **CA** ZIP: **94085**

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
09/911,874

B. Patent No.(s)

Additional numbers attached? Yes No

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5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **DANIEL D. RYAN**

Internal Address: **RYAN KROMHOLZ & MANION, S.C.**

Street Address: **P.O. BOX 26618**

City: **MILWAUKEE** State: **WI** ZIP: **53226**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

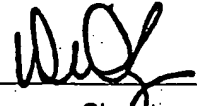
Enclosed - Any excess or insufficiency should be credited or debited to deposit account
 Authorized to be charged to deposit account

8. Deposit account number:
06-2360

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.


DANIEL D. RYAN  **5/16/2002**

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: **1**

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is acknowledged, we, Stuart D. Edwards and David S. Utley, being the lawful owners hereby sell and assign to Curon Medical, Inc. its successors and assigns, the entire right, title and interest throughout the world in our invention in GERD Treatment Apparatus and Method described in the application 09/911,874 filed 24 July 2001 for United States patent, and in this and any and all U.S.A. and other patent applications and patents thereon, and in all rights of priority thereto.

Dated 3/19/02 By 
Stuart D. Edwards

Dated 3/29/02 By DAVID S. UTLEY
David S. Utley